

E1 am 3 and lyses said non-neuronal tumor cell in ~~said~~ mammal, thereby treating the non-neuronal cancer.

REMARKS

Reconsideration is requested.

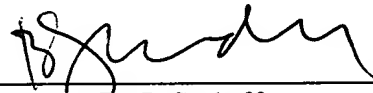
Claim 23 has been amended to correct an obvious typographical error.

The claims are submitted to be in condition for allowance for the reasons of record and a Notice to that effect is requested. The Examiner is requested to contact the undersigned if anything further is required in this regard.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



B. J. Sadoff
Reg. No. 36,663

BJS:plb
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Amend the claims as follows.

23. (Amended) A method of treating a non-neuronal cancer, which comprises a non-neuronal tumor cell, in a mammal, said method comprising the step of injecting a mammal intratumorally with an effective amount of a mutant herpes simplex virus comprising a non-functional gene, wherein said non-functional gene consists essentially of a non-functional gamma [35.4] 34.5 gene and wherein said mutant virus infects, replicates and lyses said non-neuronal tumor cell in said mammal, thereby treating the non-neuronal cancer.